## Case 18-17321-amc Doc 44 Filed 06/22/19 Entered 06/23/19 00:52:58 Desc Imaged

Certificate of Notice Page 1 of 4 Eastern District of Pennsylvania

In re: Christopher Rodriguez Debtor

Case No. 18-17321-amc Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0313-2 User: SaraR Page 1 of 1 Date Rcvd: Jun 20, 2019 Form ID: pdf900 Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 22, 2019.

db +Christopher Rodriquez, 8113 Crispin Street, Philadelphia, PA 19136-2613

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 22, 2019 Signature: /s/Joseph Speetjens

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 20, 2019 at the address(es) listed below:

KEVIN G. MCDONALD U.S. Bank National Association, (Trustee for the on behalf of Creditor Pennsylvania Housing Finance Agency, pursuant to a Trust Indenture dated as of April 1, 1982) bkgroup@kmllawgroup.com

PAUL H. YOUNG on behalf of Debtor Christopher Rodriguez support@ymalaw.com, ykaecf@gmail.com, USTPRegion03.PH.ECF@usdoj.gov WILLIAM C. MILLER, Esq. ecfemails@ph12+ paullawyers@gmail.com,pyoung@ymalaw.com;youngpr83562@notify.bestcase.com

ecfemails@ph13trustee.com, philaecf@gmail.com

TOTAL: 4

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Christopher Rodriguez

CHAPTER 13

Debtor

U.S. BANK NATIONAL ASSOCIATION, (Trustee for the Pennsylvania Housing Finance Agency, pursuant to a Trust Indenture dated as of April 1, 1982)

NO. 18-17321 AMC

Movant

VS.

Christopher Rodriguez

11 U.S.C. Section 362

Debtor

William C. Miller Esq.

Trustee

### **STIPULATION**

AND NOW, it is hereby stipulated and agreed by and between the undersigned as follows:

1. The post-petition arrearage on the mortgage held by the Movant on the Debtor's residence is \$7,905.62, which breaks down as follows;

Post-Petition Payments:

December 2018 to May 2019 at \$1,117.00/month

Suspense Balance:

December 2018 to May 2019 at \$28.77/month

Fees & Costs Relating to Motion:

\$1,031.00

Total Post-Petition Arrears

\$7,905.62

- 2. The Debtor shall cure said arrearages in the following manner:
- a). Within seven (7) days of the filing of this Stipulation, Debtor shall file an Amended Chapter 13 Plan to include the post-petition arrears of \$7,905.62.
- b). Movant shall file an Amended or Supplemental Proof of Claim to include the post-petition arrears of \$7,905.62 along with the pre-petition arrears;
- c). The new 410A form for a Proof of Claim shall not be required for this Amended or Supplemental Proof of Claim.
- 3. Beginning with the payment due June 1, 2019 and continuing thereafter, Debtor shall pay to Movant the present regular monthly mortgage payment of \$1,117.00 (or as adjusted pursuant to the terms of the mortgage) on or before the first (1<sup>st</sup>) day of each month (with late charges being assessed after the 15<sup>th</sup> of the month).

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- 4. Should Debtor provide sufficient proof of payments made, but not credited (front & back copies of cancelled checks and/or money orders), Movant shall adjust the account accordingly.
- 5. In the event the payments under Section 3 above are not tendered pursuant to the terms of this stipulation, Movant shall notify Debtor and Debtor's attorney of the default in writing and the Debtor may cure said default within FIFTEEN (15) days of the date of said notice. If Debtor should fail to cure the default within fifteen (15) days, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant immediate relief from the automatic stay and waiving the stay provided by Bankruptcy Rule 4001(a)(3).
- 6. If the case is converted to Chapter 7, Movant shall file a Certification of Default with the Court and the Court shall enter an order granting Movant relief from the automatic stay.
- 7. If the instant bankruptcy is terminated by either dismissal or discharge, this agreement shall be null and void, and is not binding upon the parties.
- 8. The provisions of this stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this stipulation, including fees and costs, due under the terms of the mortgage and applicable law.
  - 9. The parties agree that a facsimile signature shall be considered an original signature.

Date: May 20, 2019

By: /s/ Kevin G. McDonald, Esquire
Attorney for Movant

Date: Paul H. Young, Esquire
Attorney for Debtor

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William C. Miller, Esquire Chapter 13 Trustee

Approved by the Court this \_\_\_\_\_ day of \_ , 2019. However, the court retains discretion regarding entry of any further order.

Date: June 20, 2019

Bankruptcy Judge Ashely M. Chan